



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Attorney Kathi K. Kesselman (for Petitioner Mary McCall, Conservator)

7th Account and Report of Conservator, Allowance of Attorney Fees,  
Motion for Reduction of Bond and For Substitution and Release of Surety

		<b>MARY McCALL</b> , mother and Conservator of the Person and Estate, is Petitioner.  <p align="center">~Please see Petition for details~</p> <p>Court Investigator's Report filed 6/1/2016.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Continued from 10/12/2016.</u> Minute Order states no appearances. Matter is continued by the Court.  <b>Note:</b> Court will set status hearings as follows:  <ul style="list-style-type: none"> <li><b>Thursday, December 15, 2016 at 9:00 a.m. in Dept. 303</b> for the filing of proof of reduced bond of <b>\$380,000.00</b>; and for filing of the <i>Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account</i> (Judicial Council form MC-356) for the <b>\$100,000.00</b>;</li> </ul> and  <ul style="list-style-type: none"> <li><b>Thursday, August 30, 2018 at 9:00 a.m. in Dept. 303</b> for the filing of the eighth account.</li> </ul> Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
Cont. from 101216			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W /O	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	2620		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 11/9/16 <b>Updates:</b> <b>Recommendation:</b> <b>File 1- McCall</b>	

**Probate Status Hearing Re: Filing of the Third Account**

		<b>PUBLIC GUARDIAN</b> , was appointed Conservator of the Estate on 10/28/2011.  Letters issued on 11/01/2011.  Order settling second accounting filed 12/15/2014.  Minute Order of 12/15/2014 set this Status Hearing for the filing the third account.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Third Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 11/09/2016
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 3- Owings</b>

**Second Report of Status of Administration of Estate [Probate Code §12200]**

<b>DOD: 8/24/12</b>		<p><b>CAROL GOULART</b>, Executor with Full IAEA without bond, is Petitioner. Letters issued 7/9/13.</p> <p>I&amp;A: \$1,850,310.00 consisting of various real property interests.</p> <p>Various status reports have been filed.</p> <p><b>Status Report filed 11/8/16 states</b> the administration of this estate has been complicated by the death of a son, Anthony Angel Teixeira. A probate was commenced on 4/12/16 and a one-half share of this estate will pass to the deceased son's estate. This estate is not yet in a position to close but has one significant development to report. The Franchise Tax Board has withdrawn its creditor's claim and request for special notice in this matter.</p> <p>Neither the executor/heir nor the co-administrators of the deceased son's estate desire to take undivided interests in the decedent's 1/6 interest in the Santa Clara County property, and the cash needs in the deceased son's estate appear to be substantial.</p> <p>Executor has been trying to persuade her uncles, who co-own the property, to put the property on the market. As previously reported herein, only one of them has entered into negotiations to sell. Executor informed her uncle of the forthcoming cash offer of \$8,500,000, but the uncle believed a higher amount would be offered and wanted to wait. Executor believed such a sale would have provided the needed liquidity and flexibility to accomplish a distribution of this estate; however, it now appears that the uncles have changed their position and do not want to sell.</p> <p>Executor believes her only option is to force a sale by way of partition action and hereby seeks an extension of time to administer the estate to enable her to prosecute such action with the objective to cause an influx of cash in the estate, leading to final distribution. Keeping the estate open over the near-term is not harmful to the estate or beneficiaries.</p> <p>Executor prays for an order that administration continue for six months after which Executor shall either file a petition for distribution or subsequent status report.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 4/20/15, 9/16/15, 3/16/16, 7/13/16</b></p> <p><b>1. Need petition for final distribution pursuant to Probate Code §12200.</b></p>
<b>Cont. from 042015, 091615, 031616, 071316</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	7/9/13	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

**Order to Show Cause**

<b>DOD: 3/31/13</b>	<b>HELEN TSANG</b> is Administrator with Will Annexed.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Petition for Final Distribution has been filed and is set for hearing on 12/6/16.	
<b>Cont. from</b>	The First Account was approved on 3/16/16. Property on hand at the end of the first account totaled \$959.048.00.		
<b>Aff.Sub.Wit.</b>	<b>Minute Order dated 3/16/16</b> set a status hearing for the filing of the Petition for Final Distribution on 9/28/16.		
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>	<b>Minute order from 9/28/16 states</b> no appearances. The Court issues and Order to Show Cause to Steven Salazar as to why he should not be sanctioned for failure to appear and to Helen Tsang as to why she should not be removed as Administrator for her failure to file the first or final account. Both Mr. Salazar and Helen Tsang are ordered to be personally present in court on 11/9/16.		
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>	<b>Minute order from 9/28/16 states</b> no appearances. The Court issues and Order to Show Cause to Steven Salazar as to why he should not be sanctioned for failure to appear and to Helen Tsang as to why she should not be removed as Administrator for her failure to file the first or final account. Both Mr. Salazar and Helen Tsang are ordered to be personally present in court on 11/9/16.		
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>	<b>Status Report filed on 10/5/16</b> states the personal representative and her counsel regrets missing the 9/28/16 Status Hearing due to inadvertently calendaring the hearing for 10/28/16 instead. Despite the personal representative's efforts, the estate is not in a condition to close at this time. Until either the sale of the real property, receipt of the December lease proceeds or sale of farm equipment sufficient to pay American Express's claim, whichever comes first. A continuance of 90 days is necessary for purposes of closing the estate. A continuance of 90 days is necessary.		
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>	<b>Status Report filed on 10/5/16</b> states the personal representative and her counsel regrets missing the 9/28/16 Status Hearing due to inadvertently calendaring the hearing for 10/28/16 instead. Despite the personal representative's efforts, the estate is not in a condition to close at this time. Until either the sale of the real property, receipt of the December lease proceeds or sale of farm equipment sufficient to pay American Express's claim, whichever comes first. A continuance of 90 days is necessary for purposes of closing the estate. A continuance of 90 days is necessary.		<b>Reviewed by:</b> KT
<b>Order</b>			<b>Reviewed on:</b> 11/9/16
<b>Aff. Posting</b>			<b>Updates:</b>
<b>Status Rpt</b>			<b>Recommendation:</b>
<b>UCCJEA</b>	<b>File 7- Tsang</b>		
<b>Citation</b>			
<b>FTB Notice</b>			

**Second Account and Report of Co-Conservators;  
Petition for Allowance of Fees to Attorney for Co-Conservators**

		<b>MELINDA MURRAY and MELANIE WELCH, Co-Conservators, are Petitioners.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 10/12/2016 at request of counsel.</b>  1. <b>Need amended accounting.</b> Gains and losses are only listed in the accounting if the property is sold pursuant to Probate Code § 1060(d). Unrealized gains and or lossess should be reflected in a schedule listing the fair market value of the asset pursuant to Probate Code § 1063(d).  2. Petition was not verified by the petitioners pursuant to Probate Code § 1021.  3. Need Notice of Hearing.  4. Need proof of service of Notice of Hearing per Probate Code § 1460(b)(6) on the following: <ul style="list-style-type: none"> <li>Helen Marie Sircy Ratliff</li> <li>Stanley Teixeira</li> </ul> 5. Disbursement Schedule includes an ATM cash withdrawal of \$20 on 09/11/2015 however the nature and purpose of this withdrawal was not addressed. Need clarification.  6. Disbursement Schedule includes two separate charges on 07/13/2015 at Target in the amount of \$106.31 and \$154.55 however the nature and purpose of these charges is not addressed. Need clarification.  <b>Please see additional page</b>
		Account period: <b>07/01/2015 –07/15/2016</b>	
<b>Cont. from 101216</b>		Accounting: <b>\$120,779.08</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH: <b>\$60,018.58</b>	
<input type="checkbox"/>	<b>Verified</b>	Ending POH: <b>\$42,031.41</b>	
<input type="checkbox"/>	<b>Inventory</b>	Conservators: <b>not addressed</b>	
<input type="checkbox"/>	<b>PTC</b>	Attorney: <b>\$4,963.00</b> (per itemization, for 10.20 attorney hours @ \$275/hr. and 16.6 paralegal hours @ \$130/hr.)	
<input type="checkbox"/>	<b>Not.Cred.</b>	Costs <b>\$435.00</b> (filing fee)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Petitioners pray for an Order:</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	1. Approving, allowing and settling the first account and report of co-conservators; and 2. Authorizing the attorney fees.	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>2620(c)</b>		
<input type="checkbox"/>	<b>Order</b>	x	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LV <b>Reviewed on:</b> 11/09/2016 <b>Updates:</b> <b>Recommendation:</b> <b>File 9- Ratliff</b>

7. Disbursement Schedule includes several large charges for groceries as follows:

- 12/02/2015 Walmart groceries in the amount of \$120.92.
- 02/09/2016 Savemart groceries in the amount of \$203.99.
- 04/07/2016 Savemart groceries in the amount of \$207.48.
- 07/08/2016 Savemart Groceries in the amount of \$215.64.

It appears that the Conservatee began living at the Windham, a long-term care facility in July 2015 so it is unclear what the need is for these large grocery disbursements. Need clarification.

8. Under the *Conservatee's Residence Expenses* portion of the Disbursement Schedule there are three charges for PG&E, amongst other smaller PG&E bills, dated 11/02/2015 in the amount of \$346.21; 02/03/2016 in the amount of \$373.58; and 10/06/2016 in the amount of \$197.25. It is unclear why the conservatorship of the estate is paying for the residential utilities when the petition states the house is an asset of the conservatee's trust. Also, it is unclear why these utility bills are so high if the conservatee has been residing in a long-term care facility since July 2015. Is someone residing in the home? If so are they paying rent?

9. Disbursement Schedule shows two misc./tip charges under the *Conservatee's Medical Expenses* portion in the amount of \$15 on 07/14/2015 and 07/17/2015, it is unclear what the nature and purpose is of this tip. Need clarification.

10. Disbursement Schedule includes three charges from Well-Being Senior Solutions in the amount of \$550.00 dated 09/22/2015; \$550.00 on 10/22/2015 and 12/10/2015 248.00, it is unclear what the nature and purpose of this charge is.

11. Care Facility statements includes guest meals totaling \$96. Why should the conservatee be paying for these meals?

12. **Need Order. Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required.**

Guardian     Kerr, Rebecca (Pro Per – Maternal Aunt - Guardian)

Status RE: Filing of the Inventory and Appraisal.

Cont. from 100516		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR

I&A filed 10/5/16

Reviewed by: skc

Reviewed on: 11/9/16

Updates:

Recommendation:

File 12- Sanders



**First and Final Report of Personal representative; Petition for Final Distribution on First and Final Account; Petition for Payment of Compensation to Personal Representative; and Payment of Compensation to Attorney for Ordinary services; and Payment to Personal Representative for Extraordinary Services.**

<b>DOD: 9/16/11</b>		<b>RENEE JACKSON</b> , Administrator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Declaration of Philip Flanigan filed on 11/4/16 requests a 90 day continuance.</b>  <b>Need amended accounting, based on but not limited to, the following:</b>  1. Statutory fees are calculated incorrectly. Please see California Rules of Court, Rule 7.705. 2. Paragraph 20 of the Petition requests a closing reserve of \$3,500.00. Paragraph 26 states no closing reserve is requested. Prayer of the petition and order do not include the \$3,500.00 closing reserve; however, it appears to be factored into the proposed distribution. Need clarification. 3. Attorney requests reimbursement of costs totaling \$1,585.65. Itemization of attorney costs includes a filing fee for declaration in the amount of \$5.15. There are no filing fees for the filing of a declaration. Need clarification.  <b>Please see additional page</b>
		Account period: 12/31/14 – 8/15/16	
<b>Cont. from 100416</b>		Accounting - <b>\$297,319.56</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$240,246.44</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$162,845.69</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Administrator - <b>\$1,500.00</b> (less than statutory)	
<input checked="" type="checkbox"/>	<b>PTC</b>	Attorney - <b>\$6,495.19</b> (see note no. 1)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Attorney costs - <b>\$1,585.65</b> (filing fees, publication , probate referee, certified copies)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Administrator Reimb. - <b>\$24,566.08</b> (for loan payoff, maintenance of real property, funeral expense)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<b>Distribution, pursuant to intestate succession, is to:</b>	
	<b>Aff.Pub.</b>	Renee Jackson - 1/3 interest in 2 parcels of real property and \$66.25;	
	<b>Sp.Ntc.</b>	Karen Kemp - 1/3 interest in 2 parcels of real property and \$66.25;	
	<b>Pers.Serv.</b>	James Jackson - 1/3 interest in 2 parcels of real property and \$66.25;	
	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	5/29/15	
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 11/9/16</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 13- Jackson</b>

**NEEDS/PROBLEMS/COMMENTS (cont.):**

4. Disbursement schedule shows payments totaling \$2,547.77 for expenses on properties not owned by the estate (properties are identified as Durrant, Weller, Franklin, Pinedale, Pacific and Fresno St.). Need clarification.
5. Schedule C-1 (itemization of payments made with the personal funds of petitioner on behalf of the estate) includes a payment for DMV registration. This estate does not include a vehicle. Need clarification.
6. Petitioner states she and the Decedent maintained eleven rental properties at the time of decedent's death. Many of the properties were rented through the Fresno Housing Authority and rental payments were directly deposited into the decedent's sole bank account. Payments were made directly to the Decedent's account for properties jointly held by Petitioner and the decedent that passed directly to Petitioner by operation of law. Petition requests reimbursement in the amount of \$2,679.00 for rents that rightfully belonged to her. However, the receipt schedule shows receipts for said properties in the amount of \$2,653.00 a difference of \$26.00. Need clarification.
7. Disbursement schedule includes a payment of \$750.10 on 7/31/15 to Ranniker Lending for (Cancelled Refinance Charges). It appears by the letter from Ranniker Lending attached to the accounting that this charge may be for the refinance of the property on Durrant that passed to the Petitioner outside of probate. Need clarification.
8. Petitioner requests reimbursement of payments made from her personal funds in the amount of \$3,550.14 (\$5,944.14 less monthly rent applied in the amount of \$2,394.00) for the maintenance of the Madison property prior to Letters issuing. Schedule B-3 includes an itemization of the costs advances. Schedule B-3 shows a payment on 1/13/15 for mortgage payment in the amount of \$258.41. The Disbursement schedule shows a payment on 1/12/15 for mortgage payment in the amount of \$260.00. It appears this may be a duplicate payment. Need clarification.
9. Petitioner requests costs advanced in the amount of \$3,893.20 as listed on schedule C-1. C-1 also includes the amounts listed in Schedule B-3. After deducting the B-3 items, the remaining items total \$3,783.22 and not \$3,893.20. A difference of \$109.98. Need clarification.

## Report of Sale and Petition for Order Confirming Sale of Real Property

			PUBLIC GUARDIAN is Conservator/petitioner.	NEEDS/PROBLEMS/COMMENTS:
			<b>Sale price</b> - <b>\$122,500.00</b> <b>Overbid</b> - <b>\$129,125.00</b>	
Cont. from				
	Aff.Sub.Wit.		<b>Reappraisal</b> - <b>\$115,000.00</b>	
✓	Verified			
✓	Reappraisal		<b>Property</b> -                      14781 W "C" street, Kerman, CA	
	PTC			
	Not.Cred.			
✓	Notice of Hrg		<b>Publication</b> -                      Kerman News	
✓	Aff.Mail	W/	<b>Buyers</b> -                      Cesar Gomez & Susana Gomez as joint tenants.	
	Aff.Pub.		<b>Broker</b> - <b>\$6,125.00</b> (5% - payable ½ (\$3,062.50) to Jeff Starbuck of Guarantee Real Estate & ½ (\$3,062.50) to Sheryl Ramos of CHC Realty.	
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
✓	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: KT
				Reviewed on: 11/9/16
				Updates:
				Recommendation:
				File 14- Rios

## Probate Status Hearing Status RE: Filing of the Inventory and Appraisal

<b>DOD: 02/09/2016</b>	<b>DANIEL I.S.J. REY-BEAR</b> , was appointed administrator with limited IAEA authority, with \$1,377,528.40 (approx.) ordered to be placed into blocked accounts at Chase Bank and Wells Fargo Bank, and with bond set at \$20,000.00 on 06/22/2016.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		1. Need final inventory and appraisal.
<b>Cont. from</b>		2. Status Report does not indicate that it was served on all interested parties. Local Rule 7.5B requires notice of the status hearing along with a copy of the Status Report to be served on all necessary parties.
<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	Receipt of bond filed 07/06/2016 in the amount of \$20,000.00.	
<b>Inventory</b>		
<b>PTC</b>	Letters issued 07/06/2016	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>Minute order dated 6/22/2016</b> set this status hearing for filing of the inventory and appraisal.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>	<b>Status report filed 11/7/2016 states</b> the final I&A cannot be filed as the Administrator filed a claim with the State of California. The State of California acknowledged receiving the claim on 6/16/2016 and advised if the Administrator does not hear anything from them within 180 days, approximately 12/16/2016, to call their toll free number.	
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>	As of 11/3/2016, I&A partials 2 and 3 have been filed with the Court. By the time or date of the status hearing, another 2 or 3 partial inventories will be filed.	
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>	The Administrator has planned an estate sale in mid-December 2016 and hopefully, the house will be empty and the property can be listed for sale.	
<b>Aff. Posting</b>		<b>Reviewed by:</b> SEF
<input checked="" type="checkbox"/> <b>Status Rpt</b>		<b>Reviewed on:</b> 11/9/2016
<b>UCCJEA</b>		<b>Updates:</b>
<b>Citation</b>	<b>Based on the above, counsel requests the matter be continued 90 days to 2/16/2017.</b>	<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 15- Lawson</b>

## Probate Status Hearing RE: Filing of the Inventory and Appraisal

			<b>PUBLIC GUARDIAN</b> was appointed conservator of the person and estate on 7/25/16.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
			<b>Minute order dated 7/18/16</b> set this status hearing for the filing of the inventory and appraisal.	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Verified</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Inventory</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>PTC</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Not.Cred.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Aff.Mail</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Aff.Pub.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Conf. Screen</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Letters</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Duties/Supp</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Objections</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Video Receipt</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>CI Report</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>9202</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Order</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Aff. Posting</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Status Rpt</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>UCCJEA</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Citation</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>FTB Notice</b>	<input type="checkbox"/>		
			<b>Reviewed by:</b> KT	
			<b>Reviewed on:</b> 11/9/16	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 16- Yewdall</b>	

## Probate Status Hearing RE: Filing of the Inventory and Appraisal

		PUBLIC GUARDIAN was appointed conservator of the person and estate on 7/25/16.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Minute order dated 7/18/16 set this status hearing for the filing of the inventory and appraisal.	2. Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 11/9/16
			Updates:
			Recommendation:
			File 17- Yewdall

Petitioner Villa, Brian (Pro Per – Son)

## Petition for Appointment of Probate Conservator of the Person and Estate

		<b><u>NO TEMPORARY REQUESTED</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>BRIAN VILLA, son, is petitioner</b>	<b><u>Possible Media Issue</u></b>
		<b><u>Please see petition for details</u></b>	<b>Voting Rights Affected Need Minute Order.</b>
Cont. from 081716, 100516			<b>Minute Order of 10/05/2016: Attorney Edward Ramirez, specially appeared; Counsel requests a continuance.</b>
	Aff.Sub.Wit.		<b>The deficiencies with the pleadings include, but are not limited to, the following:</b>
✓	Verified		1. Need Capacity Declaration.
	Inventory		2. Petition does not address bond. Probate Code §2320 states except as otherwise provided by statute, every person appointed as conservator shall, before letters are issued, give a bond approved by the court. Probate Code §2321 states Notwithstanding any other provision of the law, the court in a conservatorship proceeding may not waive the filing of a bond or reduce the amount of bond required without a good cause determination by the court that the conservatee will not suffer harm as a result of the waiver or reduction of the bond. <b>If the court requires bond it should be set at \$255,200.00.</b>
	PTC		<b><u>Continued on the following page</u></b>
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	x	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt	x	
✓	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation	x	
	FTB Notice		
			<b>Reviewed by: LV</b>
			<b>Reviewed on: 11/09/2016</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 19- Villa</b>

**NEEDS/PROBLEMS/COMMENTS continued:**

3. Petition requests several independent powers under Probate Code §2591 without Court oversight. Local Rule 7.15.2 states: *It is the policy of the court to grant a guardian or conservator only those independent powers necessary in each case to administer the estate. A request for all powers described in Probate Code § 2591 will not be granted by the court. Each independent power requested must be justified by, and narrowly tailored to the specific circumstances of that case. Any powers so granted must be specified in the order and in the Letters of Guardianship or Conservatorship.* Petition does not state facts needed for the Court to determine powers under 2591 are necessary.
4. Petition requests that the petitioner be granted the exclusive use and control of the family residence and if needed to sell the family home. However it is unclear if the family residence is separate property or if it was held in joint tenancy. Probate Code §251 states a joint tenant who feloniously and intentionally kills another joint tenant thereby effects a severance of the interest of the decedent so that the share of the decedent passes as the decedent's property and the killer has no rights by survivorship. This section applies to joint tenancies in real and personal property, joint and multiple-party accounts in financial institutions, and any other form of co-ownership with survivorship incidents.
5. Need Citation.
6. Need proof of personal service of the Citation and a copy of the Petition on the proposed conservatee.
7. Need video viewing receipt pursuant to Local Rule 7.15.8(A).
8. Need proof of service at least fifteen (15) days before the hearing of the Notice of Hearing with a copy of the Petition for Appointment of Conservator for:
  - Jerry Frank
  - Daniel Joseph Balber
9. Need order.

**Note: If the petition is granted status hearings will be set as follows:**

- **Wednesday, 12/14/2016 at 9:00a.m. in Dept. 303** for the filing of the bond **and**
- Wednesday, 04/12/2017 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Wednesday, 01/10/2018 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.



## Petition for Letters of Administration with IAEA

<b>DOD: 12/1/13</b>		<b>WANDA FOSTER</b> , daughter, is petitioner and requests appointment as Administrator without bond.  Limited IAEA – o.k.  Decedent died intestate.  Residence: Fresno Publication: Fresno Business Journal.  <b>Estimated value of the estate:</b> Real property - \$75,000.00  <b>Probate Referee: Steven Diebert</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 10/5/16. Minute order states</b> Lisa Hicks represents that all of the signatures on the Waivers of Bond are forged. The court deems all of said waivers invalid. All objections must be filed and properly served by 11/1/16. As of 11/9/16 objections have not been filed.  <b>Note: If the petition is granted status hearings will be set as follows:</b> <ul style="list-style-type: none"> <li><b>Wednesday, April 19, 2017 at 9:00a.m. in Dept. 303</b> for the filing of the Inventory and Appraisal <u>and</u></li> <li><b>Wednesday, January 17, 2018 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
<b>Cont. from 100516</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			W/
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			

<b>Reviewed by:</b> KT
<b>Reviewed on:</b> 11/9/16
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 21- Jefferson</b>

**Petition for Appointment of Guardian of the Person**

<b><u>NO TEMPORARY REQUESTED</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>JOHN BERNARD ESCAMILLA, SR.,</b> paternal grandfather, is petitioner.		<ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of personal service at least 15 days before the hearing of the <i>Notice of Hearing</i> with a copy of the petition <u>or</u> consents and waivers of notice <u>or</u> declarations of due diligence for: <ol style="list-style-type: none"> <li>a. George Escamilla (father)</li> <li>b. Veronica Gonzalez (mother)</li> <li>c. Andrea Escamilla (ward)</li> <li>d. John Escamilla (ward)</li> </ol> </li> <li>3. Need proof of service at least 15 days before the hearing of the <i>Notice of Hearing</i> with a copy of the petition <u>or</u> consents and waivers of notice <u>or</u> declarations of due diligence for: <ol style="list-style-type: none"> <li>a. Dolores Yamamoto (paternal grandmother)</li> <li>b. Paternal grandparents</li> </ol> </li> </ol>
<i>Please see petition for details.</i>		
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: SEF
		Reviewed on: 11/9/2016
		Updates:
		Recommendation:
		File 22- Escamilla